

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00114-CJN**

CITIZENS FOR RESPONSIBILITY AND ETHICS IN
WASHINGTON, et al. v. U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT

Assigned to: Judge Carl J. Nichols

Case: 1:18-cv-02737-KBJ

Cause: 05:552 Freedom of Information Act

Date Filed: 01/18/2018

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

**CITIZENS FOR RESPONSIBILITY
AND ETHICS IN WASHINGTON**

represented by **Anne L. Weismann**
CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON
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ATTORNEY TO BE NOTICED

Plaintiff

**FREEDOM FROM RELIGION
FOUNDATION**

represented by **Anne L. Weismann**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Patrick C. Elliott
FREEDOM FROM RELIGION
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LEAD ATTORNEY
PRO HAC VICE
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V.

Defendant

**U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

represented by **Jeremy S. Simon**
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DISTRICT OF COLUMBIA
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Date Filed	#	Docket Text
01/18/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (Filing fee \$ 400 receipt number 0090-5292251) filed by

		CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons HUD, # <u>3</u> Summons Attorney General, # <u>4</u> Summons U.S. Attorney)(Weismann, Anne) (Entered: 01/18/2018)
01/18/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Weismann, Anne) (Entered: 01/18/2018)
01/18/2018	<u>3</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by FREEDOM FROM RELIGION FOUNDATION (Weismann, Anne) (Entered: 01/18/2018)
01/18/2018		Case Assigned to Judge Ketanji Brown Jackson. (jd) (Entered: 01/18/2018)
01/19/2018	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(jd) (Entered: 01/19/2018)
02/01/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 01/26/2018. (Weismann, Anne) (Entered: 02/01/2018)
02/01/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 1/26/2018. Answer due for ALL FEDERAL DEFENDANTS by 2/25/2018. (Weismann, Anne) (Entered: 02/01/2018)
02/01/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT served on 1/26/2018 (Weismann, Anne) Modified party served on 2/2/2018 (znmw). (Entered: 02/01/2018)
02/06/2018	<u>8</u>	GENERAL ORDER AND GUIDELINES FOR CIVIL CASES BEFORE JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Courts instructions for briefing motions and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 2/6/2018. (lckbj1) (Entered: 02/06/2018)
02/12/2018	<u>9</u>	NOTICE of Appearance by Jeremy S. Simon on behalf of U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (Simon, Jeremy) (Entered: 02/12/2018)
02/22/2018	<u>10</u>	Unopposed MOTION for Extension of Time to <i>Answer or Otherwise Respond to the Complaint</i> by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 02/22/2018)
02/22/2018		MINUTE ORDER granting, for good cause shown, <u>10</u> Unopposed Motion for Extension of Time to Respond to Complaint. It is hereby ORDERED that Defendant shall answer or otherwise respond to the complaint on or before 3/29/2018. Signed by Judge Ketanji Brown Jackson on 02/22/2018. (lckbj1) (Entered: 02/22/2018)
02/23/2018	<u>11</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Patrick C. Elliott, :Firm– Freedom From Religion Foundation, :Address– 10 N. Henry St., Madison, WI 53703. Phone No. – 608–256–8900. Fax No. – 608–204–0422 Fee Status: No Fee Paid. by FREEDOM FROM RELIGION FOUNDATION (Attachments: # <u>1</u> Exhibit Index of Exhibits, # <u>2</u> Declaration Decl. of Patrick Elliott, # <u>3</u> Exhibit Application to Proceed Pro Hoc Vice, # <u>4</u> Exhibit Receipt, # <u>5</u> Text of Proposed Order)(Weismann, Anne) (Entered: 02/23/2018)
02/27/2018		MINUTE ORDER granting <u>11</u> Motion for Leave to Appear Pro Hac Vice. It is hereby ORDERED that Patrick C. Elliott is admitted pro hac vice in this matter as counsel for Freedom From Religion Foundation. Signed by Judge Ketanji Brown Jackson on 02/27/2018. (lckbj1) (Entered: 02/27/2018)
03/06/2018	<u>12</u>	NOTICE of Appearance by Patrick C. Elliott on behalf of FREEDOM FROM RELIGION FOUNDATION (Elliott, Patrick) (Entered: 03/06/2018)

03/29/2018	<u>13</u>	MOTION to Dismiss <i>and Supporting Memorandum</i> by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (Attachments: # <u>1</u> Supporting Memorandum, # <u>2</u> Proposed Order, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit 16)(Simon, Jeremy) (Entered: 03/29/2018)
04/02/2018	<u>14</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>13</u> MOTION to Dismiss <i>and Supporting Memorandum</i> by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON, FREEDOM FROM RELIGION FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Weismann, Anne) (Entered: 04/02/2018)
04/03/2018		MINUTE ORDER granting, for good cause shown, <u>14</u> Unopposed Motion for Extension of Time to File Response re <u>13</u> Motion to Dismiss. It is hereby ORDERED that Plaintiffs' response re <u>13</u> is due on or before 4/30/2018. Signed by Judge Ketanji Brown Jackson on 04/03/2018. (lckbj1) (Entered: 04/03/2018)
04/30/2018	<u>15</u>	Memorandum in opposition to re <u>13</u> MOTION to Dismiss <i>and Supporting Memorandum</i> filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON, FREEDOM FROM RELIGION FOUNDATION. (Attachments: # <u>1</u> Appendix, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Text of Proposed Order)(Weismann, Anne) (Entered: 04/30/2018)
05/01/2018	<u>16</u>	Consent MOTION for Extension of Time to <i>File Reply in Support of Motion to Dismiss</i> by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 05/01/2018)
05/02/2018		MINUTE ORDER granting, for good cause shown, <u>16</u> Consent Motion for Extension of Time to File Reply re <u>13</u> Motion to Dismiss. It is hereby ORDERED that Defendant's Reply is due on or before 5/24/2018. Signed by Judge Ketanji Brown Jackson on 5/2/2018. (lckbj1) (Entered: 05/02/2018)
05/23/2018	<u>17</u>	REPLY to opposition to motion re <u>13</u> MOTION to Dismiss <i>and Supporting Memorandum</i> filed by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (Simon, Jeremy) (Entered: 05/23/2018)
10/12/2018	<u>18</u>	MOTION for Leave to File Surreply by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON, FREEDOM FROM RELIGION FOUNDATION (Attachments: # <u>1</u> Exhibit Index, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D)(Weismann, Anne) Modified on 10/15/2018 to correct docket event/text (jf). (Entered: 10/12/2018)
10/24/2018	<u>19</u>	Memorandum in opposition to re <u>18</u> MOTION for Leave to File Surreply filed by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 10/24/2018)
10/26/2018	<u>20</u>	REPLY to opposition to motion re <u>18</u> MOTION for Leave to File Surreply filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON, FREEDOM FROM RELIGION FOUNDATION. (Weismann, Anne) (Entered: 10/26/2018)
11/13/2018	<u>21</u>	NOTICE of Change of Address by Anne L. Weismann (Weismann, Anne) (Entered: 11/13/2018)
01/09/2019		MINUTE ORDER. Per this Court's Minute Order in Citizens for Responsibility and Ethics in Washington v. U.S. Department of Housing and Urban Development, 18-cv-2737, that case has been consolidated with the instant case. As a result, it is hereby ORDERED that any further filings in either case shall be filed in this case, No. 18-cv-114. In light of this consolidation, it is FURTHER ORDERED that the pending <u>13</u> Motion to Dismiss and <u>18</u> Motion for Leave to File Surreply are DENIED without prejudice, and that within 14 days of the restoration of appropriations to Defendant, the parties shall promptly confer and file a joint proposed schedule for further proceedings in this consolidated action. Signed by Judge Ketanji Brown Jackson on 1/9/2019. (lckbj1) (Entered: 01/09/2019)
02/07/2019	<u>22</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (Simon, Jeremy) (Entered: 02/07/2019)

03/05/2019	<u>23</u>	MOTION to Dismiss by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Order, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9, # <u>12</u> Exhibit 10, # <u>13</u> Exhibit 11, # <u>14</u> Exhibit 12, # <u>15</u> Exhibit 13, # <u>16</u> Exhibit 14, # <u>17</u> Exhibit 15, # <u>18</u> Exhibit 16, # <u>19</u> Exhibit 17, # <u>20</u> Exhibit 18, # <u>21</u> Exhibit 19, # <u>22</u> Exhibit 20)(Simon, Jeremy) (Entered: 03/05/2019)
03/22/2019	<u>24</u>	Memorandum in opposition to re <u>23</u> MOTION to Dismiss filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON, FREEDOM FROM RELIGION FOUNDATION. (Attachments: # <u>1</u> Exhibit Index, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Text of Proposed Order)(Weismann, Anne) (Entered: 03/22/2019)
03/27/2019	<u>25</u>	Consent MOTION for Extension of Time to <i>File Reply in Support of Motion to Dismiss</i> by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 03/27/2019)
04/05/2019		MINUTE ORDER granting, for good cause shown, <u>25</u> Consent Motion for Extension of Time to File Reply in Support of <u>23</u> Motion to Dismiss. It is hereby ORDERED that Defendant's reply re <u>23</u> is due on or before 4/23/2019. Signed by Judge Ketanji Brown Jackson on 4/5/2019. (lckbj1) (Entered: 04/05/2019)
04/09/2019		Set/Reset Deadlines: Replies due by 4/23/2019. (tj) (Entered: 04/09/2019)
04/23/2019	<u>26</u>	REPLY to opposition to motion re <u>23</u> MOTION to Dismiss filed by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (Simon, Jeremy) (Entered: 04/23/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Ketanji Brown Jackson is no longer assigned to the case. (ztnr) (Entered: 06/24/2019)
10/07/2019	<u>27</u>	ORDER directing the Parties to file a Joint Status Report. Signed by Judge Carl J. Nichols on October 7, 2019. (lccjn2) (Entered: 10/07/2019)
10/07/2019		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/21/2019. (zcdw) (Entered: 10/08/2019)
10/21/2019	<u>28</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (Simon, Jeremy) (Entered: 10/21/2019)
11/25/2019	<u>29</u>	ORDER granting in part and denying in part Defendant's <u>23</u> Motion to Dismiss. Signed by Judge Carl J. Nichols on November 25, 2019. (lccjn2) (Entered: 11/25/2019)
11/25/2019	<u>30</u>	MEMORANDUM AND OPINION. Signed by Judge Carl J. Nichols on November 25, 2019. (lccjn2) (Entered: 11/25/2019)
11/25/2019		Set/Reset Deadlines: Joint Motion For A Proposed Scheduling Order due by 12/23/2019. (mac) (Entered: 11/25/2019)